

E: ms.marinerenewables@gov.scot

Daniel Bates
Vattenfall Wind Power Ltd
70 St Mary Axe
London
EC3A 8BE

Date: 1 June 2022

Dear Mr Bates,

SCREENING OPINION UNDER THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017 AND THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017

Thank you for your screening opinion request and accompanying screening opinion report dated 5 November 2021 in regards to the proposed construction of hydrogen generating equipment which will be installed on an extended transition piece platform at one of the turbines within the Aberdeen Bay Offshore Windfarm (“AOWF”) (“the Proposed Works”).

The screening opinion report includes details in relation to the hydrogen flowline which will transport the hydrogen to shore. As you are aware from our letter of 3 February 2022, we extended the 90 period to adopt a screening opinion in order to reach a position on the responsible licensing authority for the proposed flowline aspect of the Proposed Works. Having now considered this, it is our view that the licensing responsibility for the hydrogen flowline, as well as any associated requirements for environmental assessment, is not for the Scottish Ministers and will need to be considered by the UK Government. As such, we have not considered the the flowline in this Screening Opinion.

The construction of the AOWF was an Environmental Impact Assessment (“EIA”) project. The Scottish Ministers consider the Proposed Works to fall under paragraph 13 of schedule 2 of the Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (“the 2017 MW Regulations”), with the Proposed Works meeting the corresponding threshold described in column 2 and paragraph 3 of schedule 2 of the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (“the 2017 EW Regulations”). Consequently, the Scottish Ministers are obliged to adopt a screening opinion as to whether the Proposed Works are an EIA project under the 2017 MW Regulations and the 2017 EW Regulations.

Under regulation 10(5) of the 2017 MW Regulations and regulation 8(5) of the 2017 EW Regulations, the Scottish Ministers have consulted with NatureScot (formerly Scottish Natural Heritage), the Scottish Environment Protection Agency (“SEPA”), Aberdeen City Council, Aberdeenshire Council, the Oil and Gas Authority (now ‘the North Sea Transition Authority’), the Department for Business, Energy & Industrial Strategy (“BEIS”), and Historic Environment Scotland (“HES”) as to their view on whether the Proposed Works are an EIA project. Copies of the consultation responses received are attached for your review (at Appendix I). Some consultation responses make reference to impacts from the installation of the flowline; however, due to this aspect of the Proposed Works not being within the licensing remit of the Scottish Ministers, these comments have not been considered in the Screening Opinion.

When making a determination as to whether schedule 2 works are an EIA project, the Scottish Ministers must provide their reasons in a written statement, taking into account the selection criteria set out in schedule 3 of the 2017 MW Regulations and the 2017 EW Regulations, as are relevant to the Proposed Works. This is set out below.

Characteristics of the works

Vattenfall Wind Power Ltd (“the Developer”) proposes to install hydrogen generating equipment onto an existing wind turbine (known as Wind Turbine Generator (“WTG”) B06) at the AOWF. The hydrogen equipment consists of an electrolyser, desalination equipment and compressors, which will be housed separately in seven shipping containers, each measuring 40ft long. This infrastructure will be located on a platform installed on the transition piece of the turbine, extending the current platform to provide sufficient area. The footprint of the platform surrounding the turbine tower base is estimated to be contained within a triangular bounding box with a side length of 25m and a total area of 271m².

The required equipment will be pre-installed as a containerised solution to accommodate optimised installation cycles. Construction of water intake and discharge infrastructure within the water column in the vicinity of WTG B06 will also take place during this time. The construction and installation work at WTG B06 will include welding, drilling and cutting activities but no piling is foreseen. It is envisaged that a small jack-up vessel with a crane, a crew transfer vessel and an anchor handling tug with a crane will be utilised for the installation works. Directly after the installation activities are completed, commissioning of the new equipment will commence to connect the equipment with the power supply of WTG B06.

The Scottish Ministers are content that the size and design of the Proposed Works are unlikely to have significant effects on the environment.

Location of the works

The platform extension and hydrogen generating equipment will be located within the already constructed AOWF, located approximately 2km east of Blackdog, Aberdeenshire. The wind farm itself is not located within any designated sites. The screening opinion request identifies a number of sites in the vicinity of the Proposed Works; however, does not predict any significant effects. NatureScot confirmed that it does not consider that there will be any significant effects relating to the Proposed Works.

HES also advised that considering the Proposed Works lie within an existing wind farm site, there are unlikely to be any significant adverse impacts on heritage assets within its remit.

Characteristics of the potential impact

The screening opinion request identified noise and vibrations, navigation and as potential significant effects arising from the construction phase of the Proposed Works. However, if best practice measures are implemented, the Developer does not consider the aforementioned effects from the Proposed Works to be significant. The Scottish Ministers note the proposed measures and are of the view that any concerns (relating to the aspects of the Proposed Works under the remit of the Scottish Ministers) can be addressed through the marine licensing processes.

SEPA advised that it does not consider an EIA is required for the Proposed Works.

Aberdeenshire Council highlighted that the Proposed Works have the potential to have seascape and visual impacts; however, it does not consider the Proposed Works to give rise to any significant adverse impacts that would warrant the submission of an EIA Report.

The Oil and Gas Authority responded that they had no comments to make. BEIS confirmed that there was in their view no conflict of interest or safeguarding concerns in relation to the Proposed Works and oil and gas activity.

Aberdeen City Council noted that the conclusion of the screening opinion request is dependent on implementation of standard environmental good practice to avoid likely significant effects. The Marine Scotland – Licensing Operations Team (MS-LOT) has considered the response received from Aberdeen City Council and is content that the required measures (for the aspects of the Proposed Works under the remit of the Scottish Ministers) can be secured through the marine licensing process.

Conclusion

In view of the findings above, the Scottish Ministers are of the opinion that an EIA is not required to be carried out in respect of the Proposed Works under the 2017 MW Regulations or the 2017 EW Regulations.

If you increase, alter or extend the Proposed Works, you are advised to contact MS-LOT again to confirm if the screening opinion is still valid.

A copy of the screening opinion has been forwarded to Aberdeenshire Council and Aberdeen City Council planning departments. The screening opinion has also been made publicly available through the [Marine Scotland Information](#) website.

If you require any further assistance or advice on this matter, please do not hesitate to contact me.

Yours sincerely

Jessica Malcolm

Marine Scotland - Licensing Operations Team